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THE SOUTHWESTERN HISTORICAL QUARTERLY

VOL. XXVI

JULY, 1922

No. 1

The publication committee and the editors disclaim responsibility for views expressed by contributors to THE QUARTERLY

THE INDIAN POLICY OF THE REPUBLIC OF TEXAS

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CHAPTER III

INDIAN AFFAIRS UNDER THE AD INTERIM GOVERNMENT

I. THE POLICY OF PROTECTION AND PACIFICATION

The *ad interim* government, established March 17, 1836, was given "full ample and plenary powers to do all and everything which is contemplated to be done by the General Congress of the people, under the powers granted to them by the constitution, saving and excepting all legislative and judicial acts."¹ This government served until October 22, 1836, when the constitution having been ratified, the officers elected by the people as that instrument provided were installed.² President Burnet directed the affairs of the young Republic during the first months of its existence, from March to October. He gave a vivid picture of the critical situation that faced the *ad interim* government in his message to the first Congress, on October 4, 1836. He said:

The government *ad interim* over which I have the honor to preside, has hitherto conducted its labors under every imaginable difficulty. At the institution of that government the forces of the enemy were rapidly advancing into the country with an im-

¹Gammel, *Laws of Texas*, I, 1053.

²Journal of the House of Representatives of the Republic of Texas, 1 Congress, 1 Session, October 3, 1836, to December 22, 1836, 84.

posing array; the means of repelling the formidable invasion were not of sufficient power to inspire general confidence, and many families had abandoned their homes and were fleeing from the approaching devastation. The entire settlements from the Nueces to the Colorado had been broken up, and the fall of the Alamo, where the gallant Travis and his brave associates consecrated their lives to the liberty of Texas, had spread dismay even to the line of the Brassos. Our military force in the field was greatly inferior in number to that of the host that was marching against us; and were it not, that there was a vast discrepancy between the military capacities of the opposing armies, the subjugation of Texas would have appeared inevitable; but that discrepancy had constituted an important ground of confidence in the secession, and it was worthy of all estimation; for it was discrepancy not only of military powers, but of moral attributes and of political knowledge.³

It was impossible with affairs in the chaotic state which prevailed during the first few months after the Declaration of Independence to do more than meet issues as they arose. The Indian situation was in a very critical condition just at this time. The convention had failed to ratify the treaty made with the Cherokees and their associate bands, by Houston and Forbes in February.⁴ The various governing bodies of Texas had up to this time pursued a policy of pacification toward the Indians. The failure of the Convention to continue this policy probably created a hostile feeling among the Cherokees and their associate bands, which might result in real war.⁵ Besides this, the wild tribes, always intent on plunder and scalps, were ready to take every advantage of the unsettled condition of the country. The *ad interim* government faced an extremely difficult situation.

The twofold Indian policy of protection and pacification had been definitely established by the revolutionary governments. The

³Journal of the House of Representatives of the Republic of Texas, 1 Congress, 1 Session, 11-22.

⁴Marshall says (in his *History of the Western Boundary of the Louisiana Purchase, 1819-1841*, 139-146) that the convention refused to ratify this treaty, and gives Kennedy as a reference. The writer has been unable to find that any action whatever was taken on the matter by the Convention. It seems that other affairs crowded in so fast that the treaty was never brought up for discussion. Though this was, in a way, similar to a refusal, and may have been considered so by the Indians, still no vote was really taken on the treaty by the Convention.

⁵Marshall, *A History of the Western Boundary of the Louisiana Purchase, 1819-1841*, 140.

Consultation, in the plan adopted for the provisional government, had provided for the organization of a force of one hundred and fifty rangers to be placed in detachments along the frontier. The General Council had passed an ordinance establishing a corps of rangers, and had proceeded to elect the officers to command it. Governor Smith, in compliance with the provision of the Consultation, organized a company of rangers under Captain Robert M. Coleman. Detachments of this company were placed at various points on the Trinity, Brazos, Colorado and Little Rivers. Very little is known concerning the organization and operation of the rangers under the *ad interim* government. However, it is certain that Captain Coleman remained in charge of a company until Houston became president, when he was dismissed.⁶ Wilbarger, in his book on *Indian Depredations in Texas*, mentions an engagement between a company of rangers commanded by Captain William Hill, and a band of Indians. The fight took place on San Gabriel River in the summer of 1836. There were fifty rangers and about seventy Indians.⁷ Although so little is known concerning the rangers between March and October, 1836, it can be seen from the above statements that the policy of frontier protection was practiced during the period of the *ad interim* government.

The policy of pacification was somewhat changed by the new government. During the first few months of the Republic's existence it had been necessary to secure the neutrality, and if possible the friendship, of the Indians. Now that this crisis had passed the government became more careful of the promises it made. On March 19, 1836, President Burnet informed M. B. Menard that he had been selected to treat with the Indian tribes generally. In his letter to Menard he disclosed the salient point of his policy, which was to secure the neutrality of the red men, without definitely promising them lands. He said:

It is a matter of great importance to secure the entire neutrality, at least, of the Indian tribes generally, and especially of such of them as have migrated from the north. Your experience in Indian affairs renders it very desirable to have the benefit of your agency in affecting this object.

⁶Wooten (editor), *A Comprehensive History of Texas*, II, 336.

⁷Wilbarger, *Indian Depredations in Texas*, 222.

Accompanying this you will receive Your Commission and I hope You will make it convenient to proceed with all despatch, to the place of operation. Your known familiarity with the peculiarities of the Indian Character induces the government to invest You with much discretionary power: but I must enjoin it upon you, to avoid with great caution, entering into any Specific treaty, relating to boundaries, that may compromit the interests of actual Settlers. It may very plausibly and justly be represented to the Chiefs, that we are too much occupied at this time, to negotiate positive treaties—that ample justice Shall be rendered to them as Soon as the foreign relations of the Country are adjusted on a peaceable footing—and that lands adequate to their wants will be fully granted for their exclusive use.

Menard was authorized to draw on the War Department for a sum not exceeding two thousand dollars to be used in buying presents for the chiefs if such presents would further his mission.⁸ The whole tenor of these instructions shows that the government was becoming more cautious and calculating in its dealing with the Indians. The promises of the Consultation were forgotten. Although the Republic was being invaded by a Mexican army, and was in constant danger of an Indian uprising, still it had begun coolly to calculate the value of the lands claimed by the Indians. It must, of course, be remembered that Burnet was one of the empresarios whose grant overlapped the lands claimed by the Cherokees. His contract had expired in December, 1835, and it can be seen that personal consideration may have influenced his Indian policy.

II. THE GAINES EPISODE

The most important Indian affair during the *ad interim* government was in eastern Texas, and resulted in the occupation of Nacogdoches by the United States troops.⁹ General Gaines, who was in command of the Southwestern Division of the United States Army, believed that this action was necessary to prevent

⁸Manuscript: President David G. Burnet to M. B. Menard, March 19, 1836. Indian Affairs, State Library.

⁹This question has been thoroughly investigated by two historians of today, Dr. Eugene C. Barker and Dr. Thomas M. Marshall. Dr. Barker's article on this question is in the *Mississippi Valley Historical Review*, I, 3-30, and is entitled "The United States and Mexico, 1835-1837." Dr. Marshall in his book, *A History of the Western Boundary of the Louisiana Purchase, 1819-1841*, discusses the question fully in chapters VIII, IX, X.

Indian uprisings from spreading to both sides of the boundary line, and he thought that he was justified by the treaty of 1831 between the United States and Mexico, by which each country pledged itself to keep its own Indians from molesting the other. Every effort had been made by the Civil Government and by the citizens of Nacogdoches to convince Gaines that there was danger of serious disturbances by the Indians. Dr. Barker believes that "alarming reports of warlike Indian movements were deliberately manufactured, or at the least greatly exaggerated," for the purpose of gaining the intervention of the United States.¹⁰ This is suggested by a letter from Sam P. Carson, the Texan Secretary of State, to President Burnet on April 14. After recounting some of the perplexities that confronted Gaines, he said:

I cannot state positively what General Gaines may do, but one thing I think I may say, that should he be satisfied of the fact that the Mexicans have incited *any Indians*, who are under the control of the United States, to commit depredations on either side of the line, he will doubtless view it as a violation of the treaty referred to, and be assured that he will maintain the honor of his country and punish the aggressor, be he who he may. Now the *fact is* that the Mexicans have already with them a number of Caddoes, some Cherokees, and Indians of other tribes which are under the protection and control of the United States. It is only necessary then to satisfy General Gaines of the fact, in which case, be assured he will act with energy and efficiency. The proofs will, I have no doubt be abundant by the time he reaches the Sabine; in which case he will cross and move upon the aggressors.¹¹

The Committee of Safety at Nacogdoches and private citizens of that place lost no time in bringing before Gaines the desired proofs concerning the Indians. C. H. Sims and William Sims had been sent by the committee to the Cherokees, and on April 11 they returned and reported. C. H. Sims stated that he had visited the Cherokees thirty miles west of Nacogdoches, and had found them very hostile, and in fact preparing for war. He said that they had killed Brooks Williams, an American trader among

¹⁰Barker, "The United States and Mexico, 1835-1837," in *The Mississippi Valley Historical Review*, I, 18.

¹¹Johnson-Barker, *Texas and Texans*, I, 446. The chapter in which this letter is found was written by Dr. Barker.

them. The Indians had informed him that a large body of Caddo, Kichai, Eyeish, Tawakoni, Waco, and Comanche were expected to attack the settlements and in all probability the Cherokees would join them. The number of Indians gathered on the Trinity was estimated at seventeen hundred. Bowl, the Cherokee Chief, had advised Sims to leave the country on account of the great danger. William Sims testified to about the same facts, except that he mentioned that the Mexicans were among the Indians on the Trinity. The deposition of M. B. Menard was taken before the Committee of Nacogdoches on the same day. He stated that by request of the authorities of the country, he had visited the Shawnee, Delaware, and Kickapoo Indians, and that he had found them friendly. The chiefs, however, had reported to Menard that Bowl had attempted to induce them to follow him in the attack which he intended to make very soon on the Americans, but that they had refused. The committee received further evidence that the Indians intended attacking Nacogdoches through a letter from James and Ralph Chester, in which these men asserted that the Indians led by the Caddos had crossed the Trinity and were preparing for hostilities.¹²

On account of these various reports of an organized movement of the Indians against the settlements, the Nacogdoches Committee of Safety appointed John T. Mason as the head of affairs and suspended civil authority. Mason was at Thompson's Tavern when the news of his appointment came. The next day, April 13, he received a short dispatch from R. A. Irion, acting commander of Nacogdoches, stating that the information concerning the Indians had been confirmed, and that the inhabitants were evacuating the town.¹³ Mason at once proceeded to Fort Jessup, from which place he sent a dispatch to Gaines, saying that the information received concerning the Indians and Mexicans had come from persons of "unquestionable authority." He went so far as to say that probably, "at this moment, Nacogdoches is occupied by the Indians and Mexicans; and if they pursue the families on

¹²Depositions of C. H. and William Sims, M. B. Menard, and a letter from James and Ralph Chester to the Committee of Vigilance and Safety of Nacogdoches, all of April 11, 1836. House Executive Documents of the United States, 25 Congress, 2 Session, XII, Document 351, 775-776.

¹³Irion to Mason, April 12, 1836. House Executive Documents, 25 Congress, 2 Session, XII, Document 351, 781.

their flight, all must be massacred, without instantaneous relief."¹⁴ On account of the information received through Mason and the testimony of Miguel Cortinez,¹⁵ Gaines sent eight companies of the Sixth and five companies of the Third Infantry to the Sabine River.¹⁶ He established a camp on the site of Wilkinson's former camp. No further communications confirming Indian hostilities were received, so Gaines did nothing except send out a statement to Bowl and the other chiefs warning them not to attack the inhabitants on the border.¹⁷ Lieutenant Joseph Bonnell, who was sent by Gaines to investigate the Indian situation, reported at Camp Sabine on April 20. The substance of his communication was that a Mexican by the name of Manuel Flores had been trying to incite the Caddo to war on the Texans.¹⁸ Bonnell's report did not show any necessity for a further advance of the United States troops, and on April 28, Gaines received reliable reports of the battle of San Jacinto, and the information that the Cherokees from the United States intended "to return to their villages, plant corn and be peaceable."¹⁹ The Indian excitement died down. Toward the end of June, however, Gaines received further information of Indian hostilities, which convinced him that Nacogdoches should be occupied. It is not known exactly when the first United States troops arrived in that place, but it is certain that they remained there from July 31 to December 19.²⁰ The Indian war never materialized, and Mexico was unable to invade Texas because of domestic and financial troubles.²¹ No doubt

¹⁴Mason to Gaines, April 13, 1836, House Executive Documents, 25 Congress, 2 Session, XII, Document 351, 780-781.

¹⁵Testimony of Miguel de Cortinez, interpreted by Nathaniel Amory, given before Gaines, April 12, 1836, House Executive Documents, 25 Congress, 2 Session, XII, Document 351, 781. Note: Cortinez stated that he had been among the Cherokee in February, where he had seen his brother, who told him that he held a commission from General Cos to raise the Indians against the Texans.

¹⁶Marshall, *A History of the Western Boundary of the Louisiana Purchase, 1819-1841*, 155.

¹⁷*Ibid.*, 155.

¹⁸Report of Bonnell, April 20, 1836, House Executive Documents, 25 Congress, 2 Session, XII, Document 351, 774-775.

¹⁹Barker, "The United States and Mexico, 1835-1837," in *The Mississippi Valley Historical Review*, I, 19.

²⁰*Ibid.*, I, 20.

²¹Marshall, *A History of the Western Boundary of the Louisiana Purchase, 1819-1841*, 184.

the Indians were held in check by the presence of the troops, if they ever intended attacking the settlements. It seems that Gaines, however sincere in his belief that danger existed, and however honest in his desire to protect the frontier of the United States, was nevertheless over-credulous in regard to intended Indian hostilities. There was some hearsay evidence for believing that there were Mexican emissaries among the Indians, but this charge has never been proved in any substantial way against Mexico.²²

On October 22, 1836, General Houston, who had been elected president under the new constitution, was duly inaugurated. The *ad interim* government had served its purpose and resigned. Burnet had not carried out any definite Indian policy. It seems to have been his purpose merely to tide things over this crucial period, without committing the government to any definite promise which might later be regretted.

CHAPTER IV

THE INDIAN POLICY OF HOUSTON'S FIRST ADMINISTRATION (OCTOBER 22, 1836-DECEMBER 10, 1838)

I. HOUSTON'S INDIAN POLICY DECLARED

President Houston maintained unalterably that the government should establish a wise and just policy of peace, friendship, and commerce, with the Indians. In his inaugural address, October 22, 1836, he said:

A subject of no small importance to our welfare, is the situation of an extensive frontier, bordered by Indians, and subject to their depredations. Treaties of peace and amity and the maintenance of good faith with the Indians, present themselves to my mind as the most rational ground on which to obtain their friendship. Abstain on our part from aggression, establish commerce with the different tribes, supply their useful and necessary wants, maintain even handed justice with them, and natural reason will teach them the utility of our friendship.²³

This policy, established on principle, was uncolored either by

²²Barker, "The United States and Mexico, 1835-1837," in *The Mississippi Valley Historical Review*, I, 26.

²³Journal of the House of Representatives of the Republic of Texas, 1 Congress, 1 Session, 66.

the soldier's spirit of aggression or the frontiersman's desire for land. In his message to Congress, May 5, 1837, Houston brings out the fact that although the government should pursue a conciliatory policy towards the Indians, it should also take measures to prevent unprovoked depredations.

It is within the province of this government to enquire into the causes which have produced these calamities, [depredations by the Caddoes] and no vigilance on my part shall be wanting to prevent their recurrence. I feel fully aware that the policy of this government is to pursue a just and liberal course towards our Indian neighbors; and to prevent all encroachments upon their rights.²⁴

The president in his second annual message, November 21, 1837, went more fully into his ideas concerning the relations between the government and the Indians.

It is of much interest to our country that our relations with our Indian neighbors should be placed upon a basis of lasting peace and friendship. Convinced of this truth, it has been the policy of the administration to seek out every possible means to accomplish this object, and give security to our frontier. At this time I deem the indications more favorable than they have been since Texas assumed her present attitude. Measures are in progress with the several tribes, which, with the aid of suitable appropriations by Congress, may enable us to attain the objects of peace and friendly intercourse. Apprized of these facts, it is desirable that the citizens of Texas should so deport themselves, as to become the aggressors in no case, but to evince a conciliatory disposition, whenever it can be done, consistently, with justice and humanity. Unofficially it has been communicated to the Executive that several small tribes residing within our settlements express a disposition, (if the government will assign them a country on the frontier,) to remove from their present situations. The undeviating opinion of the Executive has been, that from the establishment of trading houses on the frontier, (under prudent regulations) and the appointment of capable and honest agents, the happiest results might be anticipated for the country. The intercourse between the citizens and Indians should be regulated by acts of Congress which experience will readily suggest. The situation of Texas at this time would doubtless justify the establishment of martial law at such out-posts as are detached from

²⁴Journal of the House of Representatives of the Republic of Texas, 1 Congress, 2 Session, 12.

the body of our population, and it does seem to me that no injury could arise from the adoption of the measures.²⁵

Houston was very much opposed to the policy of sending out companies for the general purpose of operating against any hostile Indians on the frontier. On May 25, 1838, he returned to Congress an act of that nature, with a veto message. Besides other objectionable features in the bill, the president pointed out that men sent to the frontier felt that they must distinguish themselves, and in attempting to accomplish this made war indiscriminately on whatever Indians crossed their path. By such imprudent actions tribes that were peaceable, or in the act of making treaties, were forced to resume hostilities. Instead of sending out companies to operate against hostile Indians in general, Houston suggested another way of handling the situation. He said:

If means were placed at the disposal of the executive, and agencies with trading houses should be established at the proper points on the frontier, with a few troops stationed at each place, who will do their duty, and white men and companies on the frontier will act with prudence, less than one-fourth of the amount required to sustain the force contemplated in this act will make peace, and preserve it, on the frontier. The Indians of the prairies have no local habitations, and, therefore, we can not hope to conquer them by any number of troops. They can elude us when they do not wish to fight, nor will they fight without an advantage in the prairies—we cannot overtake them for they are fleet horsemen, and can disperse themselves with a signal, to meet at any point, having a knowledge of the whole region unknown to white men. If we can once treat, and they find that they can trade with us—and learn that we are not their enemies they will become our friends. The executive has never yet known a treaty made with an Indian tribe first infringed or violated by them. Everything will be gained by peace, but nothing will be gained by war. The Comanches have lately come in and desired peace. They are powerful, and if peace is made with them they will find it to their interest and security to obtain from the hostile tribes, on their borders, obedience to them and peace to us. The reason is obvious, because should depredations occur, they would be liable to

²⁵Journal of the House of Representatives of the Republic of Texas, 2 Congress, 1 Session, 158-159.

suspicion, which would interrupt their trade and intercourse with the Texans.²⁶

Houston's policy was based on the firm principle that might is not right. He seems to have been thoroughly convinced that the policy of peace, friendship, and commerce, was not only ethically sound but practical and expedient. At the beginning of the year 1838 the land offices were opened and surveyors and locators had gone beyond the settlements and had begun their operations.²⁷ In his message to Congress on November 24, 1838, Houston brought out the fact that for purposes of private speculation and individual benefit the country was about to be involved in an Indian war. He suggested "at least for some time to come, that restrictions should be laid upon all surveying beyond 'the limits of the settlements, and that the enterprize which has heretofore been employed in individual benefit, should be directed in some channel that will enable the Executive to repel the aggression of the Indians and chastize them for all wanton outrages so far as the energies of the nation can be combined."²⁸ Houston consistently maintained that in dealing with the Indians it was right, economical, and expedient to refrain from acts of aggression, to negotiate treaties of friendship and to establish trading posts along the frontier.

II. MEASURES OF DEFENSE AGAINST THE INDIANS

Houston, though opposed to aggression against the Indians, was in favor of the sure protection of the frontier, and during his administration Congress passed several bills with this object in view. On November 19, 1836, an act for the protection of the frontier came up for discussion in the House, and was passed on November 21, and signed by Houston December 5. The bill provided: that the president be required to raise a battalion of two hundred and eighty mounted riflemen to guard the frontier; that in cases of emergency he be authorized to order out the

²⁶Journal of the House of Representatives of the Republic of Texas, 2 Congress, Adjourned Session, 171-173.

²⁷Yoakum, *History of Texas*, II, 248.

²⁸Journal of the House of Representatives of the Republic of Texas, 3 Congress, Regular Session, 87-93.

militia; that he be given authority to establish blockhouses, forts, and trading posts at his discretion; and that he be given power to secure the peace of the Indians by sending agents among them, by making treaties with the various tribes and by giving them presents.²⁹ In accordance with that part of the act authorizing the president to employ such forces as he might deem necessary for the protection of the frontier, the Secretary of War, William S. Fisher, with the consent of Houston, detailed Lieutenant Colonel Lysander Wells as commander on the frontier from the River Guadalupe to the Sabine.³⁰

During the winter and spring of 1837, the frontier of Texas was in a very unsettled condition on account of Indian depredations.³¹ Some time in the spring Houston had sent Bowl, the Cherokee chief, to try to conciliate the prairie Indians. Bowl claimed that he was poorly received by the wild Indians and said that he and his tribe would join in a war against them.³² It seemed that further protection was required. Besides the natural friction which existed between the Indians and the white settlers, there was the additional disturbance caused by Mexican emissaries among the savages urging them to make war on the Texans.³³ The second session of the first congress met May 1-June 13, 1837, at Houston. A joint committee on Indian affairs reported May 20, recommending active operations against the hostile Indians. In describing the condition of the frontier the committee said: that the several tribes near the extreme western settlements had been and still were hostile; that murders and depredations were of almost daily occurrence; that the Indians had penetrated even below the San Antonio road, and had murdered several citizens on the Brazos, Trinity and Neches Rivers; and that unless means of repelling their aggressions were speedily increased, their attacks, robberies, and murders would spread extensively and prob-

²⁹Journal of the House of Representatives of the Republic of Texas, 1 Congress, 1 Session, 171-172; Gammel, *Laws of Texas*, I, 1113-1114.

³⁰Winkler (editor), *Secret Journals of the Senate of the Republic of Texas*, May 10, 1837, 47.

³¹Yoakum, *History of Texas*, II, 213.

³²*Telegraph and Texas Register*, June 20, 1837.

³³*Ibid.*, II, 227; Journal of the House of Representatives, 1 Congress, 2 Session, 12. Manuscript: Vicente Cordova to Manuel Flores, July 19, 1838. Indian Affairs, Texas State Library.

ably involve the whole country in an Indian war.³⁴ In consequence of the desperate conditions of the exposed settlements a bill for the better protection of the northern frontier was passed by the Senate May 22, 1837, and by the House on the day following, and signed by the president June 12. It provided: that a corps of six hundred mounted men be raised by volunteer enlistment, for a term of six months, of which the officers were to be appointed by the president "with the advice and consent of the Senate"; that officers and privates were to furnish themselves with a horse, a gun, two hundred rounds of ammunition, and all other equipment except beef; that officers were to receive the same pay as those of corresponding rank in the ranger service, and privates twenty-five dollars a month; that both officers and men were to receive a bounty of six hundred and forty acres of land; that the corps was to be divided in three divisions to rendezvous wherever the president might direct; and that the president was to have the power to discharge the men, if expedient, before six months had expired.³⁵ Although the president did not approve this bill until June 12, he sent in his list of nominations for officers on May 31, and it was taken up the next day, and all except one were approved.³⁶ A report from the committee on military affairs brought the frontier situation again before the House on June 5. In order to relieve conditions, it suggested, that the corps of mounted gunmen be immediately organized, and that the regular ranger service be increased.³⁷ In consequence of this report a joint resolution was passed June 7, 1837, authorizing the president to leave the seat of government to organize the corps of mounted gunmen,³⁸ and on June 12, an act was passed giving him the power to call out "such a portion of the militia as he may think proper for the better protection of the frontier."³⁹

The Adjourned Session of the Second Congress, which met in Houston from April 6 to May 24, 1838, passed an act requiring

³⁴Journal of the House of Representatives, 1 Congress, 2 Session, 50-51.

³⁵Gammel, *Laws of Texas*, I, 1334-1335.

³⁶Winkler (editor), *Secret Journals of the Senate*, 1 Congress, 2 Session, 59-60.

³⁷Journal of the House of Representatives, 1 Congress, 2 Session, 103.

³⁸Gammel, *Laws of Texas*, I, 1304.

³⁹Gammel, *Laws of Texas*, I, 1327.

the president "to order out a sufficient number of mounted gunmen, from each brigade, to commence active operations against the hostile Indians on the frontier."⁴⁰ Houston returned the bill unsigned on May 23, with the remark that it was "in every feature objectionable." The experience of the past winter and spring, he said, had made him realize that to send a band of men to the frontier to operate against hostile Indians in general was entirely the wrong method of handling the Indian situation. The House passed the bill over the president's veto, but it failed in the Senate.⁴¹ This session passed an act providing that the president be "authorized and required to raise a corps of regular cavalry, not exceeding two hundred and eighty rank and file," for the protection of the southwestern frontier. Houston signed the bill on May 15, 1838.⁴² He believed in the regular, organized protection of the frontier, but did not consider expeditions against hostile Indians in general, expedient.

During the summer and fall of 1838 several Indian disturbances occurred. Colonel Henry W. Karnes with a company of twenty-one men, was attacked by about two hundred Comanches near the Arroyo Seco. The Indians were defeated and driven off. This happened on August 10, and about the same time the strange rebellion at Nacogdoches took place. It was reported to General Rusk that about a hundred Mexicans were gathered on the Angelina River, under the command of Nathaniel Norris, Cordova, and Cruz. Rusk raised a company of sixty men and stationed them on the lower crossing of the Angelina. August 10, it was reported that the Mexicans had been joined by about three hundred Indians, and that the whole force amounted to about six hundred. On the same day Houston received a letter from the leaders declaring that they no longer owed allegiance to Texas. Major Augustin was dispatched with one hundred and fifty men to follow the insurgents to the Cherokee village, where it was said they were going. General Rusk was ordered to march in a direct route to the same place, but when he reached the Saline, he dis-

⁴⁰Journal of the House of Representatives, 2 Congress, Adjourned Session, 171.

⁴¹*Ibid.*, 171-173; Journal of the Senate of the Republic of Texas, May 23, 1838, 2 Congress, Adjourned Session, 102.

⁴²Gammel, *Laws of Texas*, I, 1480-1481.

covered that the band had dispersed. After the rebels collected, they evidently came to the conclusion that a successful revolution was impossible and they gave up their plans.⁴³ In October a band of Mexicans and Indians were committing depredations on the frontier. General Rusk, at the head of two hundred men, marched to the Kickapoo village, where the marauders were encamped, and on October 16 attacked and completely routed them.⁴⁴

When the Regular Session of the Third Congress met November 5, 1838, it took active measures for the immediate relief of the frontier situation. On November 6, a bill providing for the appropriation of twenty thousand dollars to fit out two hundred and fifty militia men, was signed by the president. These men under the command of General Rusk were "to quell the insurrection now existing among the Indians and Mexicans."⁴⁵ On November 16, Houston signed three bills, which related to the frontier situation. The first, authorized the president "to draw upon the Treasury for the necessary funds to defray the expenses of transporting arms, ammunition, troops," etc., etc., to the frontiers of Texas for their protection. The second required the president to issue "one hundred thousand dollars of Promissory Notes of the Government," for purposes of frontier protection. The third pledged the faith of Congress, that all citizens who volunteered in defense of "our exposed and suffering frontiers," would be remunerated, and recommended that the citizens elect their own officers, promising that Congress would ratify and legalize all such elections.⁴⁶

In order to carry out these plans General Rusk left Nacogdoches on November 16, "for the purpose of visiting the counties of Red River, and Fannin," to raise a force for the purpose of attacking the villages of the Indians on the Three Forks of the Trinity.⁴⁷ Rusk proceeded to the Louisiana border, where he found a company under Captain Tarrant about to attack the Caddo Indians from the United States. It was believed that

⁴³Yoakum, *History of Texas*, II, 245-246.

⁴⁴*Ibid.*, II, 247-248.

⁴⁵Gammel, *Laws of Texas*, II, 3.

⁴⁶*Ibid.*, II, 4-5.

⁴⁷Manuscript: Thomas J. Rusk, to Secretary of War, December 1, 1838. Indian Affairs, Texas State Library.

these Indians were about to cross into Texas to commit depredations. Rusk forced the Caddo to surrender, and turned their arms over to their agent in Shreveport. He promised the Indians that the government of Texas would support them.⁴⁸ In his letter to the Secretary of War on December 1, 1838, Rusk, after describing the above incident, said:

I shall proceed with Col. McLeod to Red River in the morning where I hope to be able to raise a sufficient force to proceed at once to the Three Forks of the Trinity. In the meantime it is important to urge upon Congress the necessity of making permanent arrangements for the defense of the frontiers. It will not do to depend upon the Militia for that purpose unless the laws regulating them are made much more rigid than at present.⁴⁹

III. TREATY NEGOTIATIONS

Houston believed firmly in the expediency and justice of negotiating treaties with the Indians, and did all in his power to make the establishment of friendly relations with the tribes, the vital policy of his administration. In order to appoint commissioners, and make treaties, however, he was obliged to have "the advice and consent of two-thirds of the senate," so that he was not able to execute all his plans.⁵⁰ On November 9, 1836, the president sent a message to the senate nominating certain commissioners to treat with the Indians. He said that information had been received that large bodies of Indians had assembled on the Trinity and were desirous of forming treaties of peace with the government. "I cannot too forcibly recommend the adoption of any means which will attach them to us, nor too seriously impress upon you the policy of drawing them to us by chords of friendship by means of treaties and of Commerce."⁵¹ One of the president's nominees was rejected by the senate, so on November 10, he sent two other names for their approval. Again the senate

⁴⁸*Ibid.*; Yoakum, *History of Texas*, II, 260.

⁴⁹Manuscript: Thomas J. Rusk, to the Secretary of War, December 1, 1838. Indian Affairs, Texas State Library. Rusk's further movements in this expedition cannot be traced with the sources at hand.

⁵⁰Gammel, *Laws of Texas*, I, 1076, Constitution of the Republic, Article VI, Section 5.

⁵¹Winkler (editor), *Secret Journals of the Senate*, 1 Congress, 1 Session, 19.

refused to act favorably on one of the names, but finally, on November 12, Houston appointed two men that were approved. Nath Robins, Kelsey H. Douglas, and Henry Millard were the men appointed as Indian commissioners, with Hayden S. Arnold as secretary.⁵² Although other men served as Indian commissioners during Houston's administration, there is no record that their names ever came up in the senate for ratification.

December 20, 1836, Houston sent the Cherokee Treaty made February 23, 1836, to the senate with a message recommending its approval.

You will find upon examining this treaty, that it is just and equitable, and perhaps the best which could be made at the present time. It only secures to the said Indians the usufructuary right to the country included within the boundary described in the treaty, and does not part with the right of soil, which is in this Government; neither are the rights of any citizen of the Republic impaired by the views of the treaty, but are all carefully secured by the third article of the same . . . and should you ratify and confirm this treaty, it doubtless would tend to secure their permanent friendship, a thing at this time much to be desired.⁵³

The Senate Standing Committee on Indian Affairs reported October 12, 1837. After listing and describing the Indian tribes in the confines of the Republic, the committee took up the Cherokee Treaty. It declared: that the act of the Consultation guaranteeing certain lands to the Cherokees was based on a false premise, for the Mexican Government had never granted land titles to these Indians; that the Consultation, in making the promises to the Cherokees had overstepped its authority, consequently its act was not binding on the present government; and that the Cherokees, by repeated hostilities, had forfeited all possible rights. The committee also reported at this time that a treaty had lately been concluded by T. J. Rusk and K. H. Douglas with the Anadaco and Ionie tribes, and that another was in process of negotiation by Jesse Watkins with the "Keechie Wakko Towiash and Tywocani" tribes. After concluding its report, the committee submitted the following resolutions: that the Senate refuse to

⁵²*Ibid.*, 19-22.

⁵³Winkler (editor), *Secret Journals of the Senate*, 1 Congress, 1 Session, 36.

ratify the Treaty of February 22, 1836; that it ratify the treaty made by Rusk and Douglas with the "Ionie and Anadaco" Indians on August 21, 1837; that the president be authorized and advised to appoint commissioners to conclude a treaty with the Comanches, but that no title to land be granted them; that should the treaty in course of negotiation by Jesse Watkins be perfected, the Senate should recommend the establishment of not less than three blockhouses on the northern and western frontier; and that the Senate consider the northern tribes of Indians residing in Texas, under the authority of the United States and recommend that that government control them.⁵⁴ December 26, 1837, the Senate took up this report and declared the treaty made by Houston and Forbes, with the Cherokees "null and void."⁵⁵ In spite of the fact that the treaty had been rejected, Houston wrote Rusk, on October 10, 1838, instructing him to have the boundary line surveyed. The letter shows that the president considered this action vitally necessary. He said:

Sir—I have the honor to communicate to you, and order you to have the line run, between the Cherokees and their associate bands, agreeably to the treaty concluded February 23, 1836, between them and the Government of Texas. This should be done immediately, it will do more to conciliate the Indians and give protection to the eastern section of Texas, than ten thousand men in the field would produce. If it is not immediately done, all future calamities must be attributed to its omission. I am satisfied if it is not done that there will be another runaway scrape and Eastern Texas will be desolated. Direct it to be done immediately, and I charge you with its execution; Simms will act as a commissioner on the part of the Republic of Texas, and to him you will communicate the order for immediate execution. This done and eastern Texas will have less to apprehend for its future safety. If it is not done an Indian war may ensue which will cost more blood and treasure than ought to purchase twenty such Indian countries, emigration will be stopped and the misfortunes resulting will not be retrieved in ten years.⁵⁶

Houston wrote also to Colonel Alexander Horton at the same

⁵⁴Winkler (editor), *Secret Journals of the Senate*, 2 Congress, 1 Session, 74-78; Manuscript: Report of Standing Committee of Senate on Indian Affairs, October 12, 1837. Indian Affairs, Texas State Library.

⁵⁵Winkler (editor), *Secret Journals of the Senate*, 2 Congress, 2 Session, 101.

⁵⁶Journal of the House of Representatives, 3 Congress, 1 Session, 92-93.

time (October 10), telling him in case the line between the whites and Indians had not been run by October 20, to employ the necessary force and mark the boundary.⁵⁷ On November 20, Horton notified the Executive that he had succeeded in running the line as directed.⁵⁸ The House of Representatives passed a resolution, November 12, 1838, requiring the president to inform that body whether or not he had appointed a commissioner to run the Cherokee boundary and if so by what authority.⁵⁹ Houston's message defending the validity of the Cherokee Treaty and justifying his action in having the line surveyed, was read in the House November 24, 1838. He argued: that the Consultation had declared that the Cherokees should be guaranteed certain lands; that the General Council, in order to carry out this promise, had appointed commissioners to establish the definite boundary line by treaty; and that the treaty thus formed was valid, because the Convention of March, 1836, had sanctioned and confirmed the acts of the General Consultation and the General Council. He claimed that he had not therefore sacrificed "principle to expediency," although he had considered it of the utmost importance to the welfare of the frontier to have the boundary line established.⁶⁰ Houston had spoiled the effect of his argument by sending the treaty to the Senate for its ratification, since he claimed to consider it valid without the approval of that body. However, the real basis of the conflict was not the constitutional authority for the president's action, but the fact that Congress opposed the granting of land titles to the Indians. Mirabeau B. Lamar, Houston's successor, was in sympathy with Congress.

On November 22, 1837, a treaty was made by Colonel Henry W. Karnes with the Tonkawa Indians. The treaty was sent by Houston to the Senate, December 18, 1837, and was ratified the following day. By its provisions, the Tonkawa chiefs promised to bury the tomahawk and live in peace and amity. In order to secure the blessings of peace, the Indians obligated themselves to bring to punishment any member of the tribe who committed

⁵⁷Journal of the House of Representatives, 3 Congress, 1 Session, 93.

⁵⁸*Ibid.*, 94-96.

⁵⁹*Ibid.*, 43.

⁶⁰Journal of the House of Representatives, 3 Congress, 1 Session, Houston's Message, November 19, 1838, 87-93.

depredations on the person or property of a citizen of Texas. Trade was to be regulated by an agent appointed by the Texan commissioner, and no trader was allowed to enter the Tonkawa settlement unless he held a passport from the trading agent. In turn, the government of Texas agreed to live on terms of peace and amity with the Tonkawas, and promised to punish all aggressions committed by Texans on the Indians provided sufficient evidence of guilt was adduced. Colonel Karnes appointed Nathaniel Lewis trading agent, "to continue in office until removed by the Government."⁶¹

It will be noticed that the treaty with the Tonkawas makes no reference to land, but provides for peace and regulates trade. There is no record which shows the ratification of any other Indian treaty by the Senate during Houston's first administration. However, as portions of the Secret Journals of the Senate have been lost,⁶² it is possible that some of the treaties may have been ratified between May 4-24, 1838, for here the record is lacking. During 1838, Houston succeeded in having four treaties negotiated with the Indians, although there is no record of their ratification. These treaties were very similar. They contained declarations of peace and friendship, and provisions to prevent future depredations, and to regulate trade. The treaty with the Lipans was made January 8, 1838; with the Tonkawas, April 10, 1838; with the Comanches, May 29, 1838; and with the Kichai, Towakoni, Waco, Towiash, and associate bands, September 2, 1838.⁶³

IV. MEASURES TO REGULATE TRADE WITH THE INDIANS

Through government regulation of commerce and trade with the Indians, Houston believed that the frontier situation could be greatly relieved. In his message to Congress on November 21, 1837, he said:

The undeviating opinion of the Executive has been, that from

⁶¹Manuscript: Treaty with the Tonkawa Indians, November 22, 1837. Indian Affairs, Texas State Library; Secret Journals of the Senate, 2 Congress, 2 Session, 102-105.

⁶²Winkler (editor), Secret Journals of the Senate, 109. The manuscript for the period of May 4-24 has been lost.

⁶³Manuscript: Indian Affairs, Texas State Library.

the establishment of trading houses on the frontier, (under prudent regulations,) and the appointment of capable and honest agents, the happiest results might be anticipated for the country. The intercourse between the citizens and Indians should be regulated by acts of Congress which experience will readily suggest. The situation of Texas at this time would doubtless justify the establishment of martial law at such outposts as are detached from the body of our population, and it does seem to me that no injury could arise from the adoption of the measure.⁶⁴

In a message vetoing a bill for the defense of the frontier, Houston explained the inadvisability of offensive campaigns against the Indians and remarked:

If means were placed at the disposal of the executive, and agencies with trading houses should be established at the proper points on the frontier, with a few troops stationed at each place, who will do their duty, and white men and companies on the frontier will act with prudence, less than one-fourth of the amount required to sustain the force contemplated in this act will make peace, and preserve it, on the frontier.⁶⁵

The Standing Committee of the House on Indian Affairs recommended a policy similar to that advocated by the president. On December 8, 1836, the committee reported: that the Indian depredations on the frontier were caused by the unregulated trading houses on Red River managed by persons "regardless of the consequences of the traffic in which they are engaged"; that these establishments furnished the Indians with weapons in exchange for horses and cattle stolen from citizens of Texas; and that in order to relieve the situation these trading houses should be broken up and others established in their places. The committee recommended the adoption of the following joint resolution:

Resolved by the senate and house of representatives of the Republic of Texas in congress assembled, That the president be authorized to cause and have broken up all trading establishments on Red River, or in that section of the Republic, that furnish hostile Indians with arms, munitions and other supplies, and for the accomplishment of this object he shall issue his proclamation commanding the traders with Indians on the Red River, or in

⁶⁴Journal of the House of Representatives, 2 Congress, Regular Session, 158-159.

⁶⁵Journal of the House of Representatives, 2 Congress, Adjourned Session, May 23, 1836, 172.

that section of the Republic, commanding them forthwith to desist in their traffic, and immediately withdraw from said Indians with all their property; and should said traders refuse so to desist (in their traffic), and break up their establishments, they shall be subject and liable to all the pains and penalties of piracy. The president is further authorized and requested to open a negotiation with the government of the United States for the purpose of putting a stop to said trade and traffic.⁶⁶

The resolution was never brought up for a second reading in the House. The House Standing Committee on Indian Affairs, of the Second Congress, Called Session, made a report on November 1, 1837. The committee recommended: that a conciliatory policy be pursued toward the Indians; that blockhouses and trading houses be established on the frontier, under the direction of the Government, for the purpose of supplying their wants, and opening a channel of commerce for their articles of trade; and that Coffee's Trading House on Red River be suppressed or placed under the surveillance of the Government.⁶⁷

In spite of the president's policy and various Indian committee recommendations, Congress did very little to establish governmental control over the trade with the Indians. An act for the protection of the frontier passed by the First Session of the First Congress contained a provision authorizing the president "to cause to be erected such blockhouses, forts, and trading houses, as in his judgment may be necessary to prevent Indian depredations."⁶⁸ No appropriations were made, however, by which the president would be enabled to carry out the provision. Congress was much more interested in provisions for the military defense of the frontier than in measures for trading houses. Houston to some degree succeeded in regulating the trade with the Indians by treaties. As has already been seen, every treaty made, with the savages during his administration, contained provisions for bringing trade under the direct control of the government. The treaty with the Tonkawas, made November 22, 1837, and ratified December 19, 1837, provided: that Nathaniel Lewis should be appointed trading agent for the tribe, to control trade carried on

⁶⁶Journal of the House of Representatives, 1 Congress, 1 Session, 242.

⁶⁷Journal of the House of Representatives, 2 Congress, Called Session, 82.

⁶⁸Gammel, *Laws of Texas*, Section 5, of an Act for the Protection of the Frontier, I, 1113-1114.

between the Tonkawas and citizens of Texas; that no trader should be allowed to enter the tribe without a passport from the trading agent; and that the Tonkawas should not trade with any persons not legally authorized to carry on traffic among them.⁶⁹ Three of the four other treaties made with the Indians during Houston's administration, of which there is no record of ratification, contain similar provisions regulating trade. In the Lipan Treaty, concluded January 8, 1838, the following article is found:

Art. 3d. The Republic of Texas with a view to manifest to the Lipans her desire to cultivate and secure their friendship and promote their interests and happiness, do agree to appoint a Trader or Traders or establish a Trading House or Houses among them at such points or time as their wandering habits may permit that they may have such articles furnished them as their wants may require and their means enable them to purchase.⁷⁰

The treaty with the Comanches was drawn up and signed by the chiefs and commissioners, on May 29, 1838. It provided for an agent, to be appointed by the government, to protect the rights of the Indians, and to superintend the trade with them.⁷¹

A treaty with the Kichai, Tawakoni, Waco, Towiash, and their associated bands, contained a declaration that these Indians would agree to pay full value for any injury inflicted on the goods or property of such traders as the president might send to their settlements or hunting grounds.⁷²

As far as can be ascertained no other regulations were made during Houston's first administration to regulate trade with the Indians.

⁶⁹Manuscript: "Treaty with the Tonkaways," November 22, 1837, Indian Affairs, State Library; Secret Journals of the Senate, 2 Congress, 2 Session, 102-105.

⁷⁰Manuscript: Treaty with the Lipans, January 8, 1838. Indian Affairs, Texas State Library.

⁷¹Manuscript: Treaty with the Comanches, May 29, 1838. Indian Affairs, Texas State Library.

⁷²Manuscript: Treaty with the Kichai, Tawakoni, Waco, and Towiash and their associate bands of Indians. Indian Affairs, Texas State Library.

V. FOREIGN INFLUENCES PREVENTING PEACEFUL INDIAN RELATIONS

Two foreign influences complicated the Indian situation in Texas, first the inroads of United States Indians, second the pernicious influence of Mexican agents.

On March 1, 1837, Houston wrote to the Secretary of State instructing him to urge upon the United States the necessity of restraining the Caddos.

The Secy. of State will write to the Government of the U. States, and urge in the strongest terms the necessity of sending a force, and at least two companies of mounted men, from the U. States, to keep the Caddos in check beside an infantry force at Nacogdoches.

The last treaty between them, and the U. States, threw them upon us, with feelings of hostility against all Americans. They regard us as part of the American family.

The treaty [with Mexico 1831] demands all we solicit! our demand should be heard.⁷³

In his message to Congress on May 5, 1837, Houston again referred to the subject of the depredations committed on the inhabitants of Texas by Indians from the United States. He recommended that an effort be made to define the boundary between Texas and her northern neighbor, and said that the subject of Caddo Indians inhabiting a portion of the northwestern part of the Republic was directly connected with the boundary question. He said that the tribe had recently ceded certain of their lands to the United States, and that in consequence the Caddos had shown a disposition to unite with the wild Indians of Texas. He had received information that the United States agent had issued rifles and ammunition to the warriors.

The condition and disposition of these Indians as well as their thefts and murders upon our borders, have been subjects on which our ministers at Washington city have been advised and instructed to make immediate and urgent remonstrances to that government, and I am well assured from the character of the gentlemen, that they have not been wanting to their duty in this respect. The principal aggressions on our frontier have either been instigated

⁷³Manuscript: Houston to Secretary of State, March 1, 1837. Indian Affairs, Texas State Library.

or perpetrated by the Caddos. It would be painful to suppose, under the circumstances, that the United States Agent, in furnishing them the means of further injury to the exposed frontier inhabitants of our country, had acted under the orders of his government. It is due to his government to suppose that he has proceeded unadvisedly, and that the stipulations of the treaty concluded between the United States and Mexico in April 1830, will be rigidly adhered to so far as they appertain to the United States and Republic of Texas.⁷⁴

The Standing Committee of the Senate on Indian Affairs which reported on October 12, 1837, incorporated in its resolutions one to the effect that the United States government was responsible for the northern Indians residing in Texas, and should be remonstrated with on that subject.⁷⁵ In dealing with the Indian situation on the northwestern frontier it was the settled policy of the government of Texas to hold the United States to the Treaty of 1831, in which the two countries had mutually promised to restrain the Indians from committing depredations along the border. The question was, however, somewhat complicated by the fact that the boundary was still unsettled. Lieutenant Colonel J. H. Vose, commanding the United States troops at Fort Towson, wrote R. Jones, the Adjutant General at Washington, on April 13, 1838. He stated that an affray had recently taken place between the white people south of Red River and the Choctaws. He said that the population in that part of Arkansas near Fort Towson had increased very much during the last war, and that most of the people had thrown off their allegiance to Arkansas, and had declared themselves under the government of Texas. "Frequent collisions are taking place between the white people and the Choctaws, the Choctaws being thickly settled on one side of the Red River and the white people on the other side, with a number of stores where liquor is kept in large quantities."⁷⁶ A letter from Brigadier General M. Arbuckle to Brigadier General Jones, written April 26, 1838, mentions the same disturbance between the inhabitants south of Red River and the Choc-

⁷⁴Journal of House of Representatives, 1 Congress, 2 Session, 11-12.

⁷⁵Winkler (editor), Secret Journals of the Senate, 2 Congress, 1 Session, 74-79: Manuscript, Report of Standing Committee of Senate on Indian Affairs, October 12, 1837, Indian Affairs. State Library.

⁷⁶House Executive Documents, 25 Congress, 2 Session, Document 434, 3.

taw Indians. He believes that this circumstance will "furnish sufficient evidence that, to ensure peace and good order on the Red River frontier, it is necessary that the United States should possess, at least, all the country as far south as the Sabine River to its source, and as far west as where our frontier boundary-line leaves Red River."⁷⁷ Both the above letters urged the necessity of increasing the military force on Red River in order to control the Indian situation, and preserve peace.

Conditions on the border remained in an unsettled state all during Houston's administration. The Texan ministers to the United States, W. H. Wharton and Memucan Hunt, were more absorbed in the question of annexation than in either establishing the boundary, or urging the control of the Indians. However, on April 25, 1838, a treaty was signed which provided that the United States and Texas should each appoint a commissioner and a surveyor, who were to meet within a year after the ratification of the convention for the purpose of marking the line from the mouth of the Sabine, where it entered the Gulf of Mexico, to the Red River. The ratifications of this treaty were exchanged on October 12, 1838.⁷⁸ J. P. Henderson, in a letter to Anson Jones, said that when he was secretary of state, early in 1837, he had instructed the Texan Ministers at Washington, to insist that the United States prevent her Indians from making inroads into Texas. He added that the Ministers never reported in what manner the government of the United States disposed of this application.⁷⁹

No satisfactory proof has ever been found which shows conclusively that Mexican emissaries were sent in 1836, by the government of Mexico to incite the Indians against the Texans. Miguel de Cortinez testified before Gaines that his brother Eusebio claimed to have a commission from the Mexican General Cos for this purpose, and Lieutenant Bonnell reported to Gaines that Manuel Flores and José María Medrano were both among the

⁷⁷*Ibid.*, 2.

⁷⁸Marshall, *A History of the Western Boundary of the Louisiana Purchase, 1819-1841*, 222-223.

⁷⁹Jones, *Memoranda and Official Correspondence in Relation to the Republic of Texas*, 144-145.

Indians and claimed to represent the Mexican government.⁸⁰ However, during Houston's administration evidence came into the hands of the government which left no doubt about the fact that the Mexicans were then encouraging the Indians to make a general war on the Texans. Yoakum says that during the spring of 1837 a party of Mexicans visited all the frontier Indians of Texas trying to induce them to make war on the Texans.⁸¹ Houston, in his message of May 5, 1837, said:

This government has recently received information from sources entirely satisfactory, that a delegation consisting of twenty northern Indians residing on the borders of the United States, had visited the town of Matamores, and had stipulated with the Mexican authorities, to furnish that government three thousand warriors well armed, so soon as it would invade Texas.⁸²

A letter from Vicente Cordova to Manuel Flores, written July 19, 1838, fell into the hands of the Texans, and there seems to be no reason to doubt the proof contained in this letter. Cordova wrote:

Sir, I hold a commission from General Vicente Felisolo, to raise the Indians as auxiliaries to the National Army, and I have already entered upon my duties, by uniting a meeting of the neighboring tribes, and being informed that you are appointed for the same purpose I would be glad to know what preliminary arrangements you have made towards the accomplishment of the objects contemplated; and I hope you will make every effort to approach with such force as you may have at command as far as you may judge proper, and that you will make all effort to hold with me a verbal communication in order that we may have in our respective stations an understanding, and that you will bring the pipe which I understand you are in possession of, in order that the Indian chiefs may smoke it of the Cherokee and other tribes, who have promised me to unite as soon as possible for action, and who have also agreed that in case our plans should be discovered in the meantime, they then will commence operations with the force we may have at command, and it is highly desirable that you should approach to give us in such case a helping hand.

⁸⁰Marshall, *A History of the Western Boundary of the Louisiana Purchase, 1819-1841*, 154 and 172.

⁸¹Yoakum, *History of Texas*, II, 227.

⁸²Journal of the House of Representatives, 1 Congress, 2 Session, 12.

We have heard here that the troops have commenced operations in La Bahia but do not know whether it is true.

I desire we should treat with each other in full confidence which is necessary to the success of our commission.

I will say no more at present than that you may act in full confidence of your friend

Vicente Cordova⁸³

G. W. Bonnell, Commissioner of Indian Affairs of the Republic of Texas, made a lengthy report on November 3, 1838, in which he stated that Mexican emissaries had been among the Indians stirring their hatred against the white men, and furnishing them with arms and ammunition. He said that the Mexicans had even promised the whole territory to the Indians if they could expel the Americans. However, Bonnell doubted the success of the Mexicans, for he believed that some of the Indian tribes possessed as much hostility for that nation as for the Americans.⁸⁴

VI. COST AND RESULTS OF HOUSTON'S INDIAN POLICY

There was no well organized manner of dealing with Indian affairs during Houston's first administration. Commissioners were supposed to be appointed by the president with the advice and consent of the Senate.⁸⁵ In the treaties made with the Indians provision was made for the appointment of "stationary agents," who were named, in some cases by the commissioners and in others were left for the president to select. Standing committees on Indian affairs were appointed at the beginning of each session of Congress in both the House and the Senate. These committees made reports, in which they suggested any policy they considered wise and expedient. In general, Indian affairs were conducted through the president or the secretary of war. Under this poorly organized system, the results would naturally not be satisfactory.

During the larger part of Houston's administration the poverty of the treasury held down expenditures. Appropriations could

⁸³Manuscript, Vicente Cordova to Manuel Flores, July 19, 1838. Indian Affairs, State Library.

⁸⁴Senate Reports, 30 Congress, 1 Session, 512, Document 171.

⁸⁵Gammel, *Laws of Texas*, I, 1076. Constitution of the Republic of Texas, Article VI, Section 5.

be met only by audited drafts, and orders on agents of land scrip in the United States, or by special donations and loans from individuals. But about November 1, 1837, the issue of treasury notes began, and after that appropriations could be easily met. The result of the issue of treasury notes was the rapid increase in prices, and the decrease in the value of the notes.⁸⁶ The total expenditures from January 1, 1837, to September 30, 1838, were \$1,777,363, of which amount \$430,570 were expended for the army and navy, which includes support of war department, appropriations for Indians, and \$64,014 expended by order of the president.⁸⁷ The comptroller in 1854 estimated that the total expenditures on account of the Indians, 1837-1838, was \$190,000.⁸⁸

Houston had honestly believed in, and consistently carried out, as far as possible, a policy of peace and friendship towards the Indians, but at the close of his administration his work seemed to have been in vain. The depredations of the Indians had not been visibly decreased, and their treaties with the government had been broken.⁸⁹ The natural antagonism of race, and the lack of sympathy and understanding caused by the difference in the degree of civilization, were the two underlying causes that prevented the success of the policy of peace. The immediate cause was the occupation of land by the Indian, which the settlers wanted to use for fields and pastures. The Indians considered that the whites were making encroachments on their hunting grounds, and retaliated by stealing cattle and killing the settlers. Such acts the Texans thought deserved the most severe punishment. The Mexican situation was not acute, the government was well organized, and the country was becoming stronger each day. If the savages would not desist from their depredations, it was beginning to be the general sentiment that a war should be waged against them, which would teach them the value of peace.⁹⁰

(Continued.)

⁸⁶Miller, *A Financial History of Texas*, 20-21.

⁸⁷*Ibid.*, 20, note 5.

⁸⁸*Ibid.*, 25, note 1.

⁸⁹Report of G. W. Bonnell, Commissioner of Indian Affairs, in Senate Reports of the United States, 30 Congress, 1 Session, 512, Document 171, 38-46.

⁹⁰*Ibid.*, 38-46.